



Government of the District of Columbia
ADVISORY NEIGHBORHOOD COMMISSION 5C
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November 13, 2012

Mr. Anthony J. Hood, Chairperson
 DC Zoning Commission
 441 4th Street NW, Second Floor
 Washington, DC 20001

Re: Zoning Case ZC 10-14 Big Bear Café Proposed Zoning Map Amendment –
 Updated Report

Dear Chairman Hood and Members of the Commission:

The Advisory Neighborhood Commission (ANC) 5C hereby files this updated Report following our letter dated August 21, 2012 regarding the subject application. ANC 5C held its regular monthly meeting on November 13, 2012. Prior to the November 13 meeting, Ms. Karla Lewis, a member of the opposition team requested and was granted an opportunity to appear at the meeting. During the meeting Ms. Lewis expressed concern that the applicant was in violation of prior commitments and had failed to negotiate in good faith on a promise to effect a voluntary agreement. Ms. Lewis specifically expressed concern that the applicant had recanted on several promises including promises outlined in the letter prepared by Commissioner Hugh Youngblood, ANC 5C03, which was considered and attached to ANC 5C's letter of support. Commissioner Youngblood's letter states in part: "(T)he applicant has agreed to take the following measures:

- "Restrict the building density to "low-density" 1.5 FAR for any commercial use as restricted in the DC zoning code to retain with the same commercial density that currently exists
- Maintain the same noise restrictions as are required in R-4 zoning
- Consider adding covenants to the deed that bid future uses of the property by subsequent owners."

The applicant was not available at the meeting. However, the applicant's updated 11/6/2012 Progress Report and comments by ANC 5C03 were considered by the ANC. Following a lengthy discussion, ANC 5C approved the following motion:

While expressing concerns about the inability of the parties to resolve their dispute, in Zoning Case ZC 10-14, and the allegations of the Protestants that the applicant has failed to negotiate in good faith, ANC 5C never-the-less stands by its letter of support of August 21, 2012 with its underlying conditions.

ANC 5C is comprised of 12 Commissioners and therefore seven (7) Commissioners constitutes a quorum. On November 13, 2012, at a duly noticed public meeting of ANC 5C, eight (8) Commissioners attended the meeting. At the time of voting on this application there were eight (8) Commissioners present and voting. The ANC 5C voted unanimously to support the aforementioned Motion.

APPROVED: This 13th Day of November 2012

RONNIE EDWARDS, CHAIRMAN

Reference: 5C03 Letter of Support dated August 21, 2012

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ANCSC meets on 3rd
 Tuesday of the month.

Next Meeting:
 December 20, 2012
 The Summit at St
 Martins (7:00 PM
 116 T Street NE

ZONING COMMISSION
 District of Columbia

CASE NO. 10-14
 ZONING COMMISSION
 EXHIBIT NO. 5
 CASE NO. 10-14
 EXHIBIT NO. 57

Letter of Support

21 August 2012

Mr. Anthony J. Hood, Chairperson
DC Zoning Commission
One Judiciary Square
441 4th Street NW, Second Floor
Washington, DC 20001

Re: Single Member District 5C-03 Support for Zoning Case ZC 10-14

Dear Chairman Hood and Members of the Zoning Commission:

My name is Hugh Youngblood; I am Advisory Neighborhood Commissioner for Single Member District (SMD) 5C-03. This letter expresses the Single Member District's strong support for the proposed Amendment to the DC Zoning Map (Zoning Case # 10-14) for the Big Bear Café (BBC), which is located in Commission 5C and specifically within Single Member District 5C-03.

I have reviewed the application, have met with the applicant, and have met with my constituents on the subject during meetings of ANC 5C, SMD 5C-03, and the Bloomingdale Civic Association. This series of reviews and meetings resulted in my support for the application based on the following rationale:

1. An extensive majority of SMD 5C-03 constituents support the proposal and note the fair trade-off between the BBC's history of acting as a good neighbor and the fact that the proposed zoning change would limit residents' ability to have input into the property's uses going forward.
2. An overwhelming majority of other SMD 5C-03 community members (employers, employees, patrons, and community groups) support the proposal.

Signed petitions of residents living within a 200-foot radius of the BBC, signed petitions of support from the surrounding neighborhood, letters of support from community members and civic leaders, voiced support at our Single Member District meeting, and documented support from the Bloomingdale Civic Association demonstrate the strength of community support for the proposed zoning change.

In contrast, a small contingent of residents opposes the proposed map amendment. Their concerns include the following:

1. A change from residential to commercial zoning would yield negative economic impacts for nearby homeowners who intend to hold their properties rather than sell them. Increases in property value translate into increases in property taxes.
2. The change from residential to commercial zoning would eventually yield a significant increase in overall density of the surrounding area unwelcome by those who moved here for the small-neighborhood residential feel prior to the current spike in business development.

The applicant's willingness to work with these persons to constructively address the concerns outlined above provides additional basis for support for the proposed zoning map amendment. To help mitigate the risks associated with these concerns, the applicant has agreed to take the following measures:

Letter of Support

1. Limit any future height increases to the building to a maximum of forty (40) feet total building height, which is the maximum height allowed for all R-4 residential buildings located in the area.
2. Restrict the building density to "low-density" 1.5 FAR for any commercial use as restricted in the DC zoning code to retain with the same commercial density that currently exists
3. Maintain the same noise restrictions as are required in R-4 zoning
4. Consider adding covenants to the deed that bind future uses of the property by subsequent owners.

Community support for the BBC has been so consistently strong because its commercial use of the Property has been essential to the growth and revitalization of the community. Of the many ways the BBC has played that role, let me note four.

First, the BBC serves as a neighborhood hub and community gathering place for all. Before the BBC, Bloomingdale had very limited opportunities for many residents to come together socially. It added to the sense of a neighborhood square by assisting in the development of the Bloomingdale Farmers' Market, which expanded the scope and size of our "village green." The BBC has also sponsored many community events from choirs from Haiti to poetry readings and art shows; all these events have deepened the sense and cohesiveness of Bloomingdale as a vital urban neighborhood.

Second, the BBC currently provides jobs for 5 families with children, 9 local families, 22 neighborhood residents, and 33 local residents. It contributes significantly to the District of Columbia business tax base, and its presence plays an essential role in the promotion of neighborhood business growth, local real estate sales, apartment rentals, neighborhood visibility, and community development.

Third, the BBC has won a variety of awards and accolades, all of which have benefited the Bloomingdale community. As a successful, locally owned and operated, neighborhood business, it earned the title of North Capitol Main Street "Neighborhood Business of the Year" in 2008. The BBC won the Mayor's Environmental Excellence Award in 2009. It was selected as a part of "Best of Washington" for the Washingtonian Magazine 2009-2011. Finally, the BBC was recognized for "Best Cappuccino" in the Washington Post Express.

Fourth, the BBC has contributed significantly to improved safety of pedestrians and others in the community as compared to the former use of the property.

Single Member District 5C-03 strongly supports the Map Amendment application for the BBC. I encourage the Zoning Board to look favorably on this application, and I ask that you vote in favor of the Map Amendment change so that the business at this location can continue to add value to our neighborhood, and continue to be a strong member of our developing community.

Thank you for your consideration.

Hugh Youngblood
Advisory Neighborhood Commissioner
Single Member District 5C-03



21 August 2012